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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,694	02/01/2001	Yuichi Higuchi	35.C15094	3090

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EXAMINER

JACOBS, LASHONDA T

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 05/05/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

PR9

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/774,694	HIGUCHI, YUICHI	
	Examiner	Art Unit	
	LaShonda T. Jacobs	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 February 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-73 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-73 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 February 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: note reference numeral 320 of Fig. 14, reference numeral 400 of Fig. 4 and reference numeral 1502 of Fig. 15. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Specification*

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Client-Server and Device Information Processing Method, Program and Memory Medium.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-73 are rejected under 35 U.S.C. 102(e) as being anticipated by Yacoub.

As per claims 1, 21, 41 and 61, Yacoub discloses a server, which can communicate with a client and a device, comprising:

- retrieval means for retrieving the device by comparing information obtained by combining device information of said device and ability information of a device driver for said device which is executed by said client with a retrieval condition which is received from said client and used for selecting said device (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52); and
- notifying means for notifying said client of a retrieval result of said retrieval means (col. 7, lines 63-67, col. 8, lines 1-8, col. 10, lines 16-33 and lines 43-50).

As per claims 9, 29, 49 and 69, Yacoub discloses a client, which can communicate with a server, comprising:

- transmitting means for transmitting a retrieval condition for selecting a device to said server (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52);
- receiving means for receiving, from said server, a retrieval result obtained by retrieving the device by comparing information obtained by combining device information of said device and ability information of a device driver for said device which is executed by said client with a retrieval condition which is received from said client and used for selecting said device (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52); and

- display control means for allowing a comparison result received by said receiving means to be displayed by a display (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52).

As per claims 19, 20, 39, 40, 59 and 60, Yacoub discloses a print system constructed by a device, a client, and a server, comprising:

- first transfer means for transferring information obtained by combining device information of said device and ability information of a device driver for said device which is executed by said client to said server from said device (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52);
- second transfer means for transferring a retrieval condition for selecting said device to said server from said client (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52);
- retrieval means for retrieving the device by comparing the information obtained by combining the device information of said device and the ability information of the device driver for said device which is executed by said client with the retrieval condition which is received from said client and used for selecting said device (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52); and
- third transfer means for transferring a retrieval result by said retrieval means to said client from said server (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52).

As per claims **2**, **22**, **42** and **62**, Yacoub further discloses:

- receiving means for receiving the information obtained by combining the device information of said device and the ability information of the device driver for said device which is executed by said client from said device (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52); and
- registering means for registering the information received by said receiving means into a storage (col. 9, lines 1-17).

As per claims **3**, **23**, **43** and **63**, Yacoub further discloses:

- receiving means for receiving the device information of said device from said device (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52);
- first registering means for registering the device information received by said receiving means into a first storage (col. 9, lines 1-17 and col. 14, lines 17-67); and
- second registering means for registering the ability information of said device driver into a second storage (col. 9, lines 1-17 and col. 14, lines 17-67).

As per claims **4**, **24**, **44** and **64**, Yacoub discloses:

- wherein the device information stored in said first storage and the ability information stored in said second storage are combined (col. 9, lines 1-17 and col. 14, lines 17-67).

As per claims **5**, **25**, **45** and **65**, Yacoub further discloses:

- registering means for registering the information obtained by combining the device information of said device and the ability information of the device driver for said

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device which is executed by said client into a storage (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 9, lines 1-17 and col. 14, lines 17-67).

As per claims 6, 26, 46, and 66, Yacoub discloses:

- wherein said retrieval condition includes a plurality of conditions (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52);
- said retrieval means compares the information obtained by combining the device information of said device and the ability information of the device driver for said device which is executed by said client with each of said conditions (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52); and
- said notifying means notifies said client of an adaptivity based on the number of adapted conditions among said plurality of conditions included in said retrieval condition (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52).

As per claims 7, 17, 27, 37, 47, 57 and 67, Yacoub discloses:

- wherein said device information is information regarding one of a duplex print, an N-up print, a job copy, a page copy, an OHP insertion print, a resolution, the number of print pages, a paper size, and a status of said device (col. 4, lines 44-59 and col. 14, lines 17-25).

As per claims 8, 28, 48 and 68, Yacoub discloses:

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- wherein the comparison by said retrieval means is executed with respect to a plurality of devices (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52).

As per claims **10**, **30**, **50** and **70**, Yacoub further discloses:

- input means for inputting a retrieval item and a value which is designated by said retrieval item (col. 4, lines 44-59 and col. 5, lines 44-56).

As per claims **11**, **31**, **51** and **71**, Yacoub discloses:

- wherein said input means can input a plurality of retrieval items (col. 4, lines 44-59, col. 9, lines 34-67 and col. 10, lines 1-10).

As per claims **12**, **32**, **52** and **72**, Yacoub discloses:

- wherein said receiving means receives an adaptivity based on the number of adapted conditions among a plurality of conditions included in said retrieval condition (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52); and
- said display control means allows said adaptivity to be displayed by said display (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52).

As per claims **13**, **33**, **53** and **73**, Yacoub discloses:

- wherein said retrieval item relates to one of a duplex print, an N-up print, a job copy, a page copy, an OHP insertion print, a resolution, the number of print pages, and a paper size (col. 4, lines 44-59 and col. 14, lines 17-25).



As per claims 14, 34 and 54, Yacoub discloses a device which can communicate with a server for transmitting a retrieval result to a client with respect to a retrieval condition which is sent from said client and used for selecting said device, comprising:

- transmitting means for transmitting information obtained by combining device information of said device and ability information of a device driver for said device which is executed by said client to said device (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52).

As per claims 15, 35 and 55, Yacoub discloses:

- first storing means for storing the device information of said device (col. 9, lines 1-17 and col. 14, lines 17-67);
- second storing means for storing the ability information of said device driver (col. 9, lines 1-17 and col. 14, lines 17-67); and
- combining means for combining the device information stored in said first storing means and the ability information stored in said second storing means (col. 9, lines 1-17 and col. 14, lines 17-67).

As per claims 16, 36 and 56, Yacoub further discloses:

- inquiring means for inquiring of an external apparatus about the ability information of said device driver (col. 4, lines 49-67, col. 5, lines 1-28, lines 57-67, col. 6, lines 1-24, col. 7, lines 17-46, col. 9, lines 4-17 and lines 34-52).

As per claims 18, 38 and 58, Yacoub discloses:

- wherein said device is one of a printer, a copy machine, a hybrid machine, and a scanner (col. 3, lines 9-18, col. 9, lines 53-67, col. 10, lines 1-10 and col. 11, lines 7-39).

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,407,823 to Aoki

U.S. Pat. No. 6,614,546 to Kurozasa

U.S. Pat. No. 6,003,069 to Cavill

U.S. Pat. No. 5,580,177 to Gase et al

U.S. Pat. No. 6,424,424 to Lomas et al

U.S. Pat. No. 6,633,400 to Sasaki et al

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 703-305-7494. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

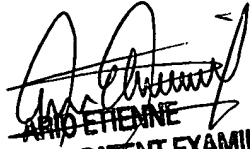
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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ltj  
April 27, 2004

  
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